

Maine

1. Lead Poisoning Control Act

Me. Rev. Stat. Ann. tit. 22 Â§Â§ 1314 to 1326 (West 1992 and Supp. 1997).

Enacts a lead poisoning control program that encompasses the restriction of sale and use of lead-based products, an early diagnosis program, educational outreach, reporting requirements, inspections by public health officials, notice to remove hazards, enforcement provisions and grants the Department of Human Services the authority to implement these activities. Specifics of the act include:

- o defining a lead-based substance as any paint, plaster or other surface material containing more than 0.5% lead by weight;
- o restricting the sale or use of lead-based substances in toys, household furniture, fixtures, or any exposed surface of any dwelling, dwelling unit, or child care facility;
- o establishing an early diagnosis program to screen children between 1 and 6 years (parents may object to screening on religious grounds);
- o initiating an educational and publicity program to inform the public on the dangers of lead;
- o require health care providers to advise parents of young children of the availability and advisability of having children screened for lead; if the provider receives state funds it must perform screening;
- o requiring warnings on packaging containing lead-based products;
- o reporting requirements by any physician who identifies persons with EBL;
- o requiring licensure of lead inspectors and abaters;
- o requires all residential child-care facilities and preschool facilities have environmental lead inspections once every 3 years by a certified inspector;
- o prohibits the use of lead-based substances upon any exposed surface of a dwelling, residential child care facility, or a preschool facility; and
- o granting the department the authority to inspect dwelling units to ascertain the presence of lead, to provide notice to owners/occupants, and to order the removal, replacement, or the covering of surfaces containing lead-based substances.

1. Reducing of toxics in packaging

Me. Rev. Stat. Ann. tit. 32 Â§ 1733 (West Supp. 1997).

Prohibits the use of lead in any packaging or container used in the marketing, protecting, or handling of a product.

2. Lead Poison Control Act

Me. Rev. Stat. Ann. tit. 22 Â§ 1314-A (1992 & West Supp. 1997).

Amends the Lead Poison Control Act; clarifies the definition of certain terms; expands the focus of the Act from protection children to protection the public as a whole; directs the Department of Humans Services to maintain a central registry of information from health-care providers, facilities and programs on lead poisoning; limits the award of damages for all losses involving lead poisoning \$250,000; establishes lead warning requirements on the sale of paint and related items.

3. Lead Poison Control

Me. Rev. Stat. Ann. tit. 38 Â§ 1291-97 (West Supp. 1997).

Ensures safe abatement of lead hazards.

- Abatement means any measure or set of measures designed to permanently eliminate lead-based paint hazards; abatement does not include renovation and remodeling;
- Lead-based paint activities means inspection, risk assessment, lead abatement design, lead abatement and services related to lead based paint such as lead screening, lead determination and deleading;
- A person may not engage in any lead based paint activities unless license or certified;
- A person who is over the age of 18 need not obtain a license to perform lead abatement activities within a residential dwelling unit that the person owns and personally occupies as long as a child residing in the dwelling has not been identified as lead poisoned; if a lead poisoned child has been identified in the dwelling the person need not obtain licensing and certification as long as he or she completes any training required by the Department of Human Services.

1. Assessment and Mitigation Services

Me. Rev. Stat. Ann. tit. 5 Â§ 1742-E (West Supp. 1997).

Establishes the Division of Safety and Environmental Services under the Bureau of General Services in the Department of Administrative and Financial Services as the local state agency responsible for asbestos, lead and indoor air quality matters and directs the division to provide asbestos, lead and air quality assessment and mitigation oversight services to public schools and state facilities.